

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

BIORESTORATIVE THERAPIES, INC.,

Case No. 20-71757-reg

Debtor.

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**ORDER GRANTING APPLICATIONS FOR A FIRST INTERIM ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

Upon the (a) First Application of Certilman Balin Adler & Hyman, LLP, Attorneys for the Debtor in Possession, for Interim Allowance of Compensation and for Reimbursement of Expenses for Services Rendered During the Period of March 20, 2020 Through and Including July 31, 2020 [ECF Doc. No. 195]; and the (b) First Application of K&L Gates, LLP, Special Intellectual Properties Counsel for the Debtor in Possession, for Interim Allowance of Compensation and for Reimbursement of Expenses for Services Rendered During the Period of March 20, 2020 Through and Including July 31, 2020 [Docket No. 196] (collectively, the “Professionals’ Applications”); the Court having reviewed the Professionals’ Applications, and the Court finding that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), (iii) notice of Professionals’ Applications was sufficient under the circumstances, (iv) the compensation requested in each of the Professionals’ Applications is reasonable and for actual and necessary services rendered by the Professionals during the First Interim Compensation Period, (v) the expenses for which reimbursement is sought in the Professionals’ Applications are actual and necessary expenses and (vi) the Professionals’ Applications fully comply with the Bankruptcy Code, the Bankruptcy Rules, and the U.S. Trustee Guidelines, as applicable, (vi) no objections to

either of the Professionals' Applications were filed; and (vii) after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Professionals' Applications are granted on an interim basis (the "Allowed Interim Amounts") to the extent set forth in **Schedule A** attached hereto.

2. The Debtor is hereby authorized to pay to the Professionals 80% of the Interim Fees Awarded (after taking into account all voluntary reductions and applicable credits) and 100% of the Interim Expenses Awarded, as reflected in Schedule A attached hereto, to the extent that such amounts have not previously been paid, with Certilman Balin to first apply its Retainer to the amounts awarded herein before receiving further payment from the Debtor.

3. The Debtor is authorized to take any and all actions necessary to effectuate the relief granted pursuant to this Order.

4. Notwithstanding any Bankruptcy Rule to the contrary, this Order shall be immediately effective and enforceable upon its entry.

5. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

SCHEDULE A**CURRENT INTERIM FEE PERIOD****03/20/2020 – 07/31/2020****Case No.: 20-71757-reg****Case Name: BioRestorative Therapies, Inc.**

<u>Applicant</u>	<u>Date/Docket No. of Application</u>	<u>Fees Requested</u>	<u>Fees Allowed (Including Fees Held Back)</u>	<u>Fees Held Back</u>	<u>Fees Payable by Debtor</u>	<u>Expenses Requested</u>	<u>Expenses Allowed and Payable by Debtor</u>
Certilman Balin Adler & Hyman, LLP <i>Counsel to the Debtor and Debtor in Possession</i>	08/28/2020 Docket No. 195	\$272,338.00	\$272,338.00	\$54,467.60	\$217,870.40 ¹	\$4,937.68	\$4,937.68
K&L Gates, LLP <i>Special Intellectual Properties Counsel to the Debtor and Debtor in Possession</i>	08/28/2020 Docket No. 196	\$92,706.50	\$92,706.50	\$18,541.30	\$74,165.20	\$22,888.32	\$22,888.32

¹ Upon entry of this Order, Certilman Balin shall apply the Debtor's Retainer held by Certilman Balin in the amount of \$50,000.00 to the amount of Fees Payable by Debtor hereunder, with the Debtor thereafter paying the sum of \$167,870.40 on an interim basis hereunder.